

To: Pellegrini, Janet[pellegrini.janet@epa.gov]; Pepin, Rob[pepin.robert@epa.gov]
Cc: Prichard, Gary[prichard.gary@epa.gov]
From: McKim, Krista
Sent: Wed 10/30/2013 3:46:29 PM
Subject: RE: AEC- Bennoc- Flow

Regarding the flow being intermittent or not.

I went through the 308 response info for Outfall formerly known as 001 covered by GP. Here is a summary of DMR data submitted from 11/2009 through 12/2010:

total times flow measured	38
total times flow measurement attempted and no flow	4
total times flow measurement attempted	42
% of time flow was measured when attempted	90.48%
# times flow measurement corresponds to 0in precip	31
% of time flow measurement corresponds to 0in precip	81.58%

I can't do this for outfall 002 as well because out of the timeframe the 308 covered AEC had been submitting a lot of blank DMR's and there's only one that's filled out for outfall 002. Rest are blank other than signature.

Based on data, it looks like AEC was attempting to measure flow more or less weekly which is what the GP requires. Also, they were reporting precip daily (even though GP requires monthly).

Krista McKim, PE

Environmental Engineer

NPDES Programs Branch

US Environmental Protection Agency

Region 5, WN-16J

77 W Jackson Blvd

Chicago, IL 60604

ph: 312.353.8270

fax: 312.697.2734

McKim.Krista@epa.gov

From: Pellegrini, Janet

Sent: Wednesday, October 30, 2013 10:37 AM

To: Pepin, Rob; McKim, Krista

Cc: Prichard, Gary

Subject: RE: AEC- Bennoc- Flow

Yes, and Marcus was saying EPA needs to obtain those projections from the permit applicant.

The DMR are for the existing uses of these ponds.

My understanding is the permit application flows are what they are asking for as average flow for this new permit.

So wouldnt it take modeling to interpolate from the DMRs using average flows to see frequency and duration to be expected?

Janet Pellegrini, Environmental Scientist

USEPA Region 5, Water Division, NPDES Branch

77 West Jackson Blvd. WN-16J

Chicago, IL 60604-3590

Phone: 312-886-4298

Fax: (312) 692-2436

From: Pepin, Rob
Sent: Wednesday, October 30, 2013 10:28 AM
To: McKim, Krista; Pellegrini, Janet
Cc: Prichard, Gary
Subject: RE: AEC- Bennoc- Flow

Need to pin down the flows to calculate limits.

From: McKim, Krista
Sent: Wednesday, October 30, 2013 10:25 AM
To: Pellegrini, Janet
Cc: Prichard, Gary; Pepin, Rob
Subject: RE: AEC- Bennoc- Flow

That is significantly more flow than what they've reported in the past for the current ponds. Highest flow submitted with 308 response is 10,300 gpd

Krista McKim, PE

Environmental Engineer

NPDES Programs Branch

US Environmental Protection Agency

Region 5, WN-16J

77 W Jackson Blvd

Chicago, IL 60604

ph: 312.353.8270

fax: 312.697.2734

McKim.Krista@epa.gov

From: Pellegrini, Janet
Sent: Wednesday, October 30, 2013 10:21 AM
To: McKim, Krista
Cc: Prichard, Gary; Pepin, Rob
Subject: FW: AEC- Bennoc- Flow

Krista,

I read thru application.

The average flows listed in the appl appl are:

Pond 001 (023) are 40,000 GPD

Pond 002 (024) = 25,000 GPD

The appl includes the Preferred Design Alternative (OEPA Memo May 17, 2012) to reconstruct the ponds to ensure they discharge intermittently. (see C.4.c.)

OEPA is ignoring this plan now and claiming intermittent discharge without the reconstruction/enlargement of ponds.

Janet Pellegrini, Environmental Scientist

USEPA Region 5, Water Division, NPDES Branch

77 West Jackson Blvd. WN-16J

Chicago, IL 60604-3590

Phone: 312-886-4298

Fax: (312) 692-2436

From: Janet Pellegrini [<mailto:Pellegrini.Janet@epamail.epa.gov>]
Sent: Wednesday, October 30, 2013 10:05 AM
To: Pellegrini, Janet
Subject: Fw: AEC- Bennoc

----- Forwarded by Janet Pellegrini/R5/USEPA/US on 10/30/2013 10:04 AM -----

From: "Nygaard, Eric" <eric.nygaard@epa.state.oh.us>
 To: Janet Pellegrini/R5/USEPA/US@EPA,
 Date: 12/20/2012 09:54 AM
 Subject: RE: FW: AEC- Bennoc

Here is the app. I will follow up with the company comments. They were the only comments that we received on this permit.

From: Pellegrini.Janet@epamail.epa.gov [<mailto:Pellegrini.Janet@epamail.epa.gov>]
Sent: Wednesday, December 19, 2012 4:30 PM
To: Nygaard, Eric
Cc: Kuefler.Patrick@epamail.epa.gov
Subject: Re: FW: AEC- Bennoc

Eric,
 Thanks for the attached files, I did not receive the Excel spreadsheet prior.
 Could I ask you a favor, this email indicates the permit application file attachment was deleted, could you send that file separately in another email to me?

I will contact our IT if it doesnt come through the second time.
 thanks

Janet Pellegrini
 Environmental Scientist
 USEPA Region 5, Water Division, NPDES Branch
 77 West Jackson Blvd. #WN-16J
 Chicago, IL 60604-3590
 phone: (312) 886-4298
 fax: (312) 692-2436

▼ "Nygaard, Eric" ---12/19/2012 03:23:57 PM---Janet – Here is information about the permit. I thought that it was sent in late November. I thoug

From: "Nygaard, Eric" <eric.nygaard@epa.state.oh.us>
 To: Janet Pellegrini/R5/USEPA/US@EPA,
 Cc: Kevin Pierard/R5/USEPA/US@EPA, Patrick Kuefler/R5/USEPA/US@EPA
 Date: 12/19/2012 03:23 PM
 Subject: FW: AEC- Bennoc

Janet – Here is information about the permit. I thought that it was sent in late November. I thought that I also sent a hand-drawn edit of a topo map showing the outfalls. Please let me know if you need anything else.

From: Peterson, Katrina
Sent: Monday, November 26, 2012 3:02 PM
To: Goff, Bruce
Subject: FW: AEC- Bennoc

This is for your information, to have in case anyone needs it. It's a pdf of their permit file and antideg file.

From: Peterson, Katrina
Sent: Monday, November 26, 2012 3:00 PM
To: 'Pellegrini.Janet@epamail.epa.gov'
Cc: Nygaard, Eric
Subject: RE: AEC- Bennoc

Attached is all the file and antideg information.

From: Pellegrini.Janet@epamail.epa.gov [mailto:Pellegrini.Janet@epamail.epa.gov]
Sent: Wednesday, November 21, 2012 3:59 PM
To: Peterson, Katrina
Subject: RE: AEC- Bennoc

I checked and we don't normally receive minor permits. The need to review this permit was discussed during a recent management call between my Branch Chief & OEPA. If this was sent for some reason to a member of our staff Krista McKim, since she has worked on other OH coal permits, I apologize, she has been on maternity leave for about a month, so I cannot access her records or see if she's received it.

▼ "Peterson, Katrina" ---11/21/2012 02:18:44 PM---I will be on vacation until Monday. I will email the information to you then. The USEPA receives a

From: "Peterson, Katrina" <Katrina.Peterson@epa.state.oh.us>
 To: Janet Pellegrini/R5/USEPA/US@EPA,
 Date: 11/21/2012 02:18 PM
 Subject: RE: AEC- Bennoc

I will be on vacation until Monday. I will email the information to you then. The USEPA receives all of the permit applications. Please check with your "library" first. We have been instructed by USEPA NPDES section to send all mining related permit and applications to them.

From: Pellegrini.Janet@epamail.epa.gov [mailto:Pellegrini.Janet@epamail.epa.gov]
Sent: Wednesday, November 21, 2012 11:15 AM
To: Peterson, Katrina

Subject: AEC- Bennoc

Hi Katrina,

I was just assigned to review the AEC Bennoc permit, so I will be working with you as the permit writer. Although no information re permit writer was contained in the docs I saw, the email trail from you to Eric indicated you probably are the PW.

In order for EPA to do a permit review, we must have not only the draft permit, but also the permit application. Could you send that to me?

Or if the permit application is in the form of an NOI, I will need to see that.

I did not see the permit application in the file I was sent, I do have the draft permit.

Any supportive documentation you used to write the permit, would also be helpful, if you could send to me as well.

I am especially looking for a comprehensive site map that includes proposed disposal areas and outfalls in this draft permit.

I understand this permit is separate due to enforcement actions on an existing set of sites, OVC and another AEC which are subsidiaries of the same company.

So a site map that includes their boundaries would be appropriate.

I understand that this is an individual permit, but for reference could you also send a copy of Ohio EPA's general permit?

thanks much,
Janet

Janet Pellegrini
Environmental Scientist
USEPA Region 5, Water Division, NPDES Branch
77 West Jackson Blvd. #WN-16J
Chicago, IL 60604-3590
phone: (312) 886-4298
fax: (312) 692-2436 [attachment "LETTERS&STUFF.PDF" deleted by Janet Pellegrini/R5/USEPA/US]

***** ATTACHMENT NOT DELIVERED *****

This Email message contained an attachment named
APPLICATION.pdf

which may be a computer program. This attached computer program could contain a computer virus which could cause harm to EPA's computers, network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses introduced into the EPA network. EPA is deleting all computer program attachments sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate, you should contact the sender and request that they rename the file name extension and resend the Email with the renamed attachment. After receiving the revised Email, containing the renamed attachment, you can rename the file extension to its correct name.

For further information, please contact the EPA Call Center at

(866) 411-4EPA (4372). The TDD number is (866) 489-4900.

***** ATTACHMENT NOT DELIVERED *****

[attachment "antidegfile.pdf" deleted by Janet Pellegrini/R5/USEPA/US] [attachment "PERMIT.PDF" deleted by Janet Pellegrini/R5/USEPA/US] [attachment "amer energy_Low_Flow.xls" deleted by Janet Pellegrini/R5/USEPA/US] (*See attached file: bennoc app.pdf*)